

BOARD OF PAROLE HEARINGS
Executive Board Meeting
http://www.cdcr.ca.gov/BOPH/meeting_agenda.html
Monday, November 18, 2013
OPEN SESSION
(All times are approximate and subject to change.)

1515 K Street
Executive Board Meeting Room
Suite 550
Sacramento, California 95814

NOTE START TIME: **1:00 p.m.**

AGENDA

MEETING CALLED TO ORDER

CONSENT CALENDAR

1. Roll Call
2. Comments and Clarification regarding Board of Parole Hearings (BPH) Meeting Minutes: October 14-18, 2013
3. Parole Suitability Hearings and Backlog Report
4. Public Comment on Consent Calendar – Comments are limited to five minutes. Items on the consent calendar are considered routine and non-controversial. All matters are approved by one motion unless pulled by a Board Member for discussion or separate action.

REPORTS AND PRESENTATIONS

5. Report from Executive Officer
6. Report from Chief Counsel
 - BPH Orientation for Inmate Counsel
7. Report from Chief Deputy of Program Operations
 - Proposed Reform of Panel Attorney Appointment Process
8. Offender Age and Recidivism, Presented by Dr. Cliff Kusaj, Chief Psychologist, and Dr. Jasmine Tehrani, Senior Psychologist
9. Center Point, Inc., Presented by Steven Jackson, SASCA Region II Project Director
10. Discussion Regarding Tours of Transitional Housing Facilities

OPEN COMMENTS

11. BPH Commissioners – Agenda Items for Future Meetings
12. Public Comment – Comments are limited to five minutes. The public may comment on any item related to Board business. The Board will not consider comments about future parole hearings. Those comments should be sent to the prison where the inmate is housed so that they can be considered by the panel assigned to the case.

MEETING RECESSED TO TUESDAY, NOVEMBER 19, 2013

**BOARD OF PAROLE HEARINGS
Executive Board Meeting
Monday, November 18, 2013
CLOSED SESSION**

(All times are approximate and subject to change.)

1515 K Street
Executive Board Conference Room
Sacramento, California 95814

NOTE START TIME: **3:00 p.m.**

DISCUSSION

Overview of Pending Litigation and Writs of Habeas Corpus

Pursuant to Government Code section 11126(e)(1)

(A board may meet in closed session to confer with or receive advice from its legal counsel regarding pending litigation when discussion in open session concerning those matters would prejudice the position of the state body in the litigation.)

Issue

1. En Banc Referrals of Cases Likely to Result in a Court-Ordered Rehearing, presented by Howard Moseley, Chief Counsel

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Executive Board Meeting
Tuesday, November 19, 2013
CLOSED SESSION
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NOTE START TIME: **9:00 a.m.**

DISCUSSION

Overview of Pending Litigation and Writs of Habeas Corpus

Pursuant to Government Code section 11126(e)(1)

(A board may meet in closed session to confer with or receive advice from its legal counsel regarding pending litigation when discussion in open session concerning those matters would prejudice the position of the state body in the litigation.)

Issue

1. *Gilman v. Brown*, Case No. 2:05-CV-00830 LKK (E.D. Cal.), presented by Howard Moseley, Chief Counsel
2. *In re Butler*, Case No. A139411 (Cal. 1st App. Dist.), Presented by Howard Moseley, Chief Counsel

For disability related accommodations, please contact the BPH Americans with Disabilities Act Coordinator at (916) 445-4072, at least five (5) working days prior to the scheduled meeting. All persons and property entering into this facility may be subject to search. No unauthorized weapons are allowed pursuant to Penal Code Section 171b.

**BOARD OF PAROLE HEARINGS
Executive Board Meeting
Tuesday, November 19, 2013
OPEN SESSION
(All times are approximate and subject to change.)**

1515 K Street
Executive Board Meeting Room
Suite 550
Sacramento, California 95814

NOTE START TIME: **10:00 a.m.**

AGENDA

MEETING RECONVENED (Continued from November 18, 2013)

EN BANC REFERRALS

13. Referral by the Chief Counsel pursuant to California Code of Regulations, Title 15, section 2042, to assure complete, accurate, consistent and uniform decisions and the furtherance of public safety. Members of the public may address the Board for a period not to exceed five (5) minutes.

A. ALEGRE, ANTONIO	H-78404	To consider the term calculation
County of Commitment: San Joaquin		

B. ALVIS, CARLOS	H-15209	To consider the term calculation
County of Commitment: Los Angeles		

C. DANIELS, SONYA	W-75006	To consider whether the proposed decision is consistent with Penal Code section 4801
County of Commitment: Sutter		

D. DUCHENE, DANNY	C-71565	To consider the term calculation
County of Commitment: Sutter		

14. Referral to consider for a rescission hearing pursuant to California Code of Regulations, title 15, sections 2450 et seq. Members of the public may address the Board for a period not to exceed five (5) minutes.

E. WARMACK, MACEO	E-84649	To consider new information regarding institutional conduct
County of Commitment: Los Angeles		

15. Referral by the Governor pursuant to Penal Code section 3041.1 and California Code of Regulations, Title 15, section 2044 to request review of a parole decision by the full board. Members of the public may address the Board for a period not to exceed five (5) minutes.

F. DAWSON, DONALD	H-28536
County of Commitment: Los Angeles	

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G. FALTISCO, ROBERT **T-95747**
County of Commitment:
Los Angeles

H. GARZA, NICOLE **W-67206**
County of Commitment:
Los Angeles

I. HYPOLITE, STEVEN **K-79428**
County of Commitment:
Los Angeles

DISCUSSION ITEMS

16. a) Administrative Directive 2013-05 Regarding Deportation Orders, Presented by Kara Houston, Staff Attorney
b) Board Questions and Comments
c) Public Comments
d) Motion and Votes
17. a) Administrative Directive 2013-06 Regarding Inmate Presentation of Documents, Presented by Susie Booth, Staff Attorney
b) Board Questions and Comments
c) Public Comments
d) Motion and Votes
18. a) Comments and Clarification Regarding Commissioner Training Advisory Committee Minutes: August 19, 2013
b) Board Questions and Comments
c) Public Comments
d) Motion and Votes
19. a) Comments and Clarification Regarding Best Practices Advisory Committee Minutes: July 15, 2013
b) Board Questions and Comments
c) Public Comments
d) Motion and Votes

OPEN COMMENTS

20. BPH Commissioners - Agenda Items for Future Meetings
21. Public Comment – Comments are limited to five minutes. The public may comment on any item related to Board business. The Board will not consider comments about future parole hearings. Those comments should be sent to the prison where the inmate is housed so that they can be considered by the panel assigned to the case.

The decision in the above hearings will be posted no later than 4 p.m. in the lobby on the ground floor of 1515 K Street and also on the BPH internet page at the following address:
www.cdcr.ca.gov/BOPH/enbanc.html.

CLOSED SESSION – EN BANC REFERRALS

Pursuant to Government Code section 11126(c)(4)
("...[N]or shall anything in this article be construed to prevent a state body from holding a closed session when considering and acting upon the determination of a term, parole, or release of any

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individual or other disposition of an individual case, or if public disclosure of the subjects under discussion nor consideration is expressly prohibited by statute.”)

ADJOURNMENT

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